

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Initially, Applicants would like to thank the Examiner for the indication that claims 12, 15-19, and 24 contain allowable subject matter.

In the Official Action, the Examiner objects to the drawings as failing to comply with 37 C.F.R. § 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description. Specifically, the Examiner argues that reference numeral 410 corresponding to the eyepiece lens is not shown in the drawings. In response, Figure 54 has been amended to include reference numeral 410. Accordingly, it is respectfully requested that the objection to the drawings under 37 C.F.R. § 1.84(p)(5) be withdrawn.

In the Official Action, the Examiner objects to the drawings as failing to comply with 37 C.F.R. § 1.84(p)(4) because reference character 503 has been used to designate both the "tubular insertion member" and the "light source apparatus." In response, Figure 67A has been amended as suggested by the Examiner to change the light source apparatus number from reference numeral "503" to reference numeral --507--. Accordingly, it is respectfully requested that the objection to the drawings under 37 C.F.R. § 1.84(p)(4) be withdrawn.

In the Official Action, the Examiner objects to the Abstract as containing legal phraseology. Specifically, the Examiner objects to the use of the term "means" on page 134, line 2. In response, the Abstract has been amended to remove the legal phraseology. Accordingly, it is respectfully requested that the objection to the Abstract be withdrawn. A clean copy of the amended Abstract is provided on a separate sheet for the convenience of the Examiner.

In the Official Action, the Examiner objects to the disclosure because reference numeral "406" is not defined therein. In response, Figures 54 and 70 have been amended to delete reference numeral "406." Accordingly, it is respectfully requested that the objection to the disclosure be withdrawn.

In the Official Action, the Examiner rejects claims 1-4, 7, and 25 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,961,456 to Gildenberg (hereinafter "Gildenberg"). Additionally, the Examiner rejects claims 1, 7, and 11 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,601,549 to Miyagi (hereinafter "Miyagi"). Furthermore, the Examiner rejects claims 5, 6, 8, 9, 13, and 23 under 35 U.S.C. § 103(a) as being unpatentable over Gildenberg in view of U.S. Patent No. 5,098,426 to Sklar et al., (hereinafter "Sklar"). Still Further, the Examiner rejects claim 10 under 35 U.S.C. § 103(a) as being unpatentable over Gildenberg in view of Sklar and further in view of U.S. Patent No. 6,081,371 to Shioda et al., (hereinafter "Shioda"). Lastly, the Examiner rejects claims 20-22 under 35 U.S.C. § 103(a) as being unpatentable over Gildenberg in view of U.S. Patent No. 4,958,932 to Kegelman et al., (hereinafter "Kegelman") and further in view of U.S. Patent No. 4,660,982 to Okada et al., (hereinafter "Okada").

In response, claims 1-25 have been canceled, thereby rendering the rejections thereof moot. Thus, it is respectfully requested that the rejections of claims 1-11, 13, 14, 20-23, and 25 under 35 U.S.C. §§ 102(b) and 103(a) be withdrawn.

New claims 26-172 have been added by way of the present amendment. Of these claims, claims 26, 31, and 32 are independent with claims 27-30 depending from claim 26 and claims 33-172 depending from claims 26, 31, and 32.

New independent claim 26 recites a microscope that detects the state of the image source and can automatically change the display state in accordance with the detected state of the image source. The changing includes selecting a desired one of the images, turning on/off of the displaying operation of the image, switching of the display mode, and processing of the image, which are recited in dependent claims 27 to 29, respectively. By virtue of this feature, an operator can efficiently perform an operation because he or she can obtain desired image information according to the state of the operation. Applicants respectfully submit that independent claim 26 is not disclosed or suggested in any of the prior art references of record. Therefore, new independent claim 26 patentably distinguishes over the cited prior art of record and is allowable. Claims 27-30, depending from claim 26 are at least allowable therewith as depending from an allowable base claim.

New independent claim 31 recites a structure wherein a function of a switch for controlling the operation of the microscope in accordance with the detected state of the image source is provided for the image source (see Ninth Embodiment). Applicants respectfully submit that independent claim 31 is not disclosed or suggested in any of the prior art references of record. Therefore, new independent claim 31 patentably distinguishes over the cited prior art of record and is allowable. The claims depending from claim 31 are at least allowable therewith as depending from an allowable base claim.

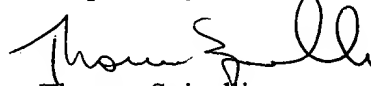
New independent claim 32 recites a structure for controlling the image from an operation inputting section located outside the operating room, which is displayed by the image display. When the operator performs an operation, he or she can simply and accurately receive instructions from an experienced doctor, and take appropriate steps depending upon the circumstances (See Third Embodiment). Therefore, new independent claim 32 patentably

distinguishes over the cited prior art of record and is allowable. The claims depending from claim 32 are at least allowable therewith as depending from an allowable base claim.

Applicants respectfully submit that new claims 26-172 are fully supported in the original disclosure. Thus, no new matter has been entered into the disclosure by way of the addition of new claims 26-172.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,



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TS:cm
Enclosure (Clean Copy of Substitute Abstract)